

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

THE INSURANCE COMPANY OF THE
STATE OF PENNSYLVANIA, a foreign
corporation; AMERICAN HOME
ASSURANCE COMPANY, a foreign
corporation; and NATIONAL UNION FIRE
INSURANCE COMPANY OF PITTSBURGH,
PA, a foreign corporation,

Civil Case Number: 07-cv-15170

PAUL D. BORMAN
UNITED STATES DISTRICT COURT

Plaintiffs,

v.

ALTERNATIVE INSURANCE SERVICES,
INC., a Michigan Corporation, and JOHN F.
FLAHERTY, an individual,

Defendants.

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**ORDER GRANTING PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT
AGAINST DEFENDANT, ALTERNATIVE INSURANCE SERVICE, INC., ONLY**

On or about December 5, 2007, Plaintiffs filed a five-count Complaint against Defendants, Alternative Insurance Service, Inc., and John Flaherty alleging claims of Action to Pierce Corporate Veil (Defendant John Flaherty only), Breach of Contract, Breach of Fiduciary Duty, Conversion, and Unjust Enrichment/Restitution.

On April 25, 2008, the Court entered its Order Granting Plaintiffs' Motion for Judgment on Count II, Breach of Contract, as to Defendant, Alternative Insurance Services, Inc., Only Pursuant to Fed. R. Civ. P. 12(c).

On November 11, 2008, Plaintiffs filed their Motion for Default Judgment requesting a

default judgment be entered against the Defendants in the amount of \$1,208,124.30, plus interest, costs and attorney fees.

On November 21, 2008, this Court issued its Opinion and Order: (1) Denying Defendants' Motion to Stay, and (2) Granting Demorest Law Firm's Motion to Withdraw. In doing so, this Court ordered Defendants to retain new counsel by December 19, 2008. Alternatively, Defendant Flaherty was permitted to proceed in propria persona, but Defendant, Alternative Insurance Service, Inc., was required to be represented by counsel. This Court also ordered Defendants to appear before the Court on December 19, 2008, at 2:30 p.m.

This Court held a Status Conference on December 19, 2008, at 2:30 p.m. Defendant, Alternative Insurance Service, Inc., failed to appear with counsel and Defendant, John Flaherty, indicated to the Court that Defendant, Alternative Insurance Service, Inc., has not retained counsel pursuant to the Court's November 21, 2008, Order. In addition, the Court heard argument on Plaintiffs' Motion for Default Judgment as to Defendant, Alternative Insurance Service, Inc., only.

NOW, THEREFORE, as a result of the foregoing, the Court enters default judgment as of December 19, 2008, in the amount of \$1,208,124.30 against Defendant, Alternative Insurance Service, Inc., only. The Court further awards to Plaintiffs and against Defendant, Alternative Insurance Service, Inc., prejudgment interest, attorneys fees, and costs of an undetermined amount. Plaintiffs will file with the Court on or before January 21, 2008 a bill of costs and supporting documentation for the amounts requested for prejudgment interest, attorneys fees, and cost. Defendant may respond to Plaintiff's Bill of Costs on or before January 28, 2008.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: January 8, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on January 8, 2009.

s/Denise Goodine
Case Manager